

### **REMARKS**

The Office Action mailed January 20, 2004, has been carefully considered. In response thereto, the present application has been amended in a manner which is believed to place it into consideration for allowance. Accordingly, reconsideration and withdrawal of the outstanding Office Action and allowance of the above-captioned application are respectfully solicited in view of the foregoing amendments and the following remarks.

The Applicants respectfully submit that the drawing correction proposed in the Request for Drawing Change Approval filed concurrently herewith overcomes the objection to the drawings. The Applicants further submit that the amendment to claim 1, by adopting the Examiner's suggested language, overcomes the objection to claim 1 under 37 C.F.R. §1.75(a).

Claims 1 and 5-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Vialen et al*, (U.S. Patent No. 6,542,516). Claims 2-4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Vialen et al*. For the reasons set forth below, the Applicants respectfully traverse.

*Vialen et al* teaches an adaptation layer for use in a protocol stack in a mobile station of a cellular telephone network. The adaptation layer 301 maps messages according to a lower protocol 305 in the mobile station and one or more higher protocols 302-304 (such as GSM and GPRS) so that the messages in the lower protocol and in a higher protocol being used correspond to one another.

The Office Action identifies the memory 510 as a hybridization module. The Applicants respectfully disagree with the characterization of the reference set forth in the Office Action.

Even if a memory can broadly be considered a hybridization module, there is nothing in the mobile station of *Vialen et al* that emulates some or all protocols of a first radio network, communicates with at a peer level with protocols of a second radio network, so that the emulation and peer level communication allow an appearance of communication via the first radio network. While the mobile station disclosed in the reference can be configured to communicate with more than one radio network via higher protocols 302-304, the hybridization performed is not between those networks, but instead between any one of those networks and the lower-level protocol 305.

Thus, *Vialen et al* fails to teach every limitation of any of present claims 1 and 5-7. It is a *sine qua non* for anticipation that the applied reference should teach every limitation of each of the claims rejected for anticipation. As a result, the applied reference does not anticipate any of those claims under 35 U.S.C §102(b). Moreover, the absence of such teaching indicates that the subject matter of claims 2-4 would not have been obvious over the applied reference under 35 U.S.C. §103(a). Therefore, the Applicants respectfully submit that the outstanding grounds of rejection are unfounded.

As all outstanding grounds of objection and rejection have been addressed and overcome, the Applicants respectfully request reconsideration and withdrawal of the outstanding Office Action and issuance of a Notice of Allowance directed to claims 1-7 as now submitted.

In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Please charge any deficiency in fees, or credit any overpayment thereof, to  
BLANK ROME LLP, Deposit Account No. 23-2185 (000571-00029). If a Petition for

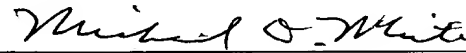
*Serial No .09/848,551*  
*Attorney Docket No. 000571.00029*

Extension of Time is required to render this Amendment timely and either is not filed herewith or is insufficient to render this Amendment timely, the Applicants hereby petition under 37 C.F.R. §1.136(a) for such an extension for as many months as are necessary to render this Amendment timely. Any fee due is authorized above.

Respectfully submitted,

Stephen B. HEPPE et al.

By:



Michael D. White

Registration No. 32,795

BLANK ROME LLP  
Watergate  
600 New Hampshire Avenue, NW  
Washington, DC 20037  
Telephone: 202-772-5800  
Facsimile: 202-572-8398